

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff(s),

v.

STEVEN GRIMM, et al.,

Defendant(s).

Case No. 2:08-CR-64 JCM (GWF)

**ORDER**

Presently before the court is the government's unopposed motion for reconsideration of defendant Eve Mazzearella's compassionate release. (ECF No. 811).

The government states that it was unaware of the existence of defendant's motion, (ECF No. 807), because it was filed under seal. (ECF No. 811). The government never responded.

The government seeks an opportunity to respond and allow briefing in the regular course. (*Id.*). This court will permit the government's response only on an expedited basis. Considering defendant's health, time is of the essence. (ECF No. 807). Furthermore, this court granted defendant's request for compassionate release on the merits, having considered the government's prior briefing; Local Rule LCR 47-3 was not the basis for this court's decision. (ECF No. 809 ("The response deadline was over two weeks ago, yet the government has not responded. However, this court exercises its discretion to consider the government's prior briefing and examine the merits of defendant's request."))).

The government is ordered to supplement its instant motion with a proposed response to the defendant's motion for reconsideration, (ECF No. 807), within 7 days of this order. The government's motion is hereby held in abeyance until then. (ECF No. 811). The order in question will not be disturbed in the meantime—any delay in defendant's release shall factor into the

1 already existing mandate “that th[e] order is stayed for up to 14 days, for the verification of the  
2 defendant’s residence and/or establishment of a release plan, to make appropriate travel  
3 arrangements, and to ensure the defendant’s safe release.” (ECF No. 809).

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the government’s motion  
6 for reconsideration (ECF No. 811) be, and the same hereby is, HELD IN ABEYANCE until 7 days  
7 from the date of this order.

8 IT IS FURTHER ORDERED THAT the government shall supplement its motion for  
9 reconsideration with its proposed response to the defendant’s motion for reconsideration, (ECF  
10 No. 807), within 7 days from the date of this order.

11 DATED October 23, 2020.

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UNITED STATES DISTRICT JUDGE